

1                                   **MINUTES OF THE MEETING**  
2                                   **OF THE NATIONAL ORGANIC STANDARDS BOARD**  
3                                   **EXECUTIVE COMMITTEE**

4  
5                                   **October 14, 2005**  
6                                   **Via Telephone Conference Call**  
7

8   The regularly scheduled meeting of the Executive Committee of the National Organic  
9   Standards Board was called to order by Chair Jim Riddle at 3:05 p.m. EDT, Friday,  
10   October 14, 2005, pursuant to previous action by the committee and notification by the  
11   NOP.

12  
13   Executive Committee members present were:

14   Jim Riddle                                   Kevin O'Rell  
15   Dave Carter                                   Andrea Caroe  
16   Michael Lacy                                   Rosalie Koenig (arrived at 3:35 p.m.)  
17

18   NOP representatives present were:

19   Mark Bradley  
20   Arthur Neal (Left the call at 3:50 p.m.)  
21

22   Absent were Executive Committee members Goldie Caughlan and Nancy Ostiguy.

23   Also on the call were NOSB members George Siemon and Bea James.

24   Because of the absence of the Secretary, Dave Carter and Bea James agreed to serve as  
25   recording secretaries for the meeting.  
26

27   Jim Riddle provided a report of the Chair. Mr. Riddle discussed some of the  
28   congressional debate surrounding proposed amendments to the Organic Foods Production  
29   Act. He said that he is continuing to monitor the discussion from a distance, but does not  
30   have any prediction on the final result.  
31

32   The Chair noted that the agenda calls for a report from the Secretary. Because of the  
33   absence of Goldie Caughlan, there are no minutes presented for approval. Goldie will

1 have minutes from prior meetings prepared and distributed prior to the November NOSB  
2 meeting.

3  
4 Arthur Neal and Mark Bradley provided a report from the National Organic Program.

5  
6 In terms of Rule revision, Arthur reported that Methionine is on its way to the Federal  
7 Register. The Federal Register Notice is anticipated by the end of October. NOP is aware  
8 of the crops docket. The proposed comments submitted on 205.605 regarding crops are  
9 being taken into consideration.

10  
11 Mr. Bradley and Mr. Neal discussed additional Sunset issues. NOP is also working on a  
12 draft rule to address the court order. Mr. Neal reported that the Livestock docket has  
13 been returned with additional restrictions, and warned the committee that there may be  
14 some discomfort with those restrictions. Andrea Caroe questioned the Secretary's  
15 statutory authority to make changes to annotations that appear in the Federal Register  
16 notice that contains proposed additions to 205.605. Jim Riddle asked Andrea to prepare a  
17 draft comment from the board to submit for this notice.

18  
19 Arthur Neal noted that the deadline for comments on the docket is November 15.

20  
21 Mark Bradley reported that the NOP met with personnel regarding the ability for the  
22 NOSB to provide input on the hiring of an Executive Director. He reported that USDA  
23 Personnel offices have been initially receptive to having board input. He noted that the  
24 personnel rules require that anyone involved in the screening process cannot be involved  
25 in the formal evaluation process. Mr. Bradley said that the level of board input will be  
26 determined in part by the timeline for hiring the Executive Director. Mr. Riddle noted  
27 that the position announcement closed October 4, and that there is a 30 day screening  
28 process in place. The screening is being conducted by the USDA Personnel office in  
29 Minneapolis. Mr. Bradley said that federal rules prohibit anyone involved in the initial  
30 screening process from participating in the evaluation process. Mr. Bradley reported that  
31 Personnel officials are continuing to evaluate the allowable level for board input, and

1 stressed that there is a need to protect the confidentiality of all applicants. Discussion was  
2 held regarding the development of questions that could be submitted from the board to all  
3 of the applicants. Dave Carter suggested that the board develop a list of questions that  
4 could be asked of all applicants as a part of the evaluation process, and that the  
5 appropriate subcommittee of the board could then review the answers to those questions.  
6 Jim Riddle noted that the policy committee has taken the lead on the executive director  
7 position, and that the committee should take the lead on compiling questions. Kevin  
8 O'Rell made a motion that the NOSB support that the screening process be conducted by  
9 the Minneapolis, and that the NOSB develop a list of questions for the evaluation  
10 process, for the hiring of executive Director, and that the board have the opportunity to  
11 review the responses to those questions. The motion was seconded by Andrea Caroe. The  
12 motion was put to a vote, and carried. Mr. Carter agreed that the Policy Committee would  
13 coordinate the process of developing questions to be asked of all screened candidates as a  
14 part of the evaluation process.

15  
16 The chair directed the committee's attending to the agenda for the NOSB meeting in  
17 November. Mr. Riddle noted that the draft agenda posted by NOP is at variance with the  
18 draft agenda that has been discussed by the Board. Mr. Bradley noted that the  
19 discrepancy has been corrected, and that an updated agenda has been posted which  
20 reflects the board's recommendation regarding public comment.

21  
22 Discussion was held regarding the timing for taking formal board action following any  
23 discussion items during the November meeting. Kevin O'Rell suggested that, because of  
24 the workload, that formal action be conducted immediately following the discussion  
25 period. Consensus was expressed to follow this procedure.

26  
27 Discussion was held regarding the process for handling any materials in which an  
28 annotation may be changed as a part of the sunset review process. Rose Koenig said that  
29 the current sunset process does not allow the board to make any changes in annotations as  
30 a part of the renewal process. She recommended that NOP legal counsel review the  
31 Board's ability to utilize a process in which the material would be removed from the list,

1 and that the material would then be recommended for inclusion on the list with the new  
2 annotation. Mr. Riddle said that he believed that the Federal Register notice on Sunset  
3 allowed the board the ability to make some changes in annotations as a part of the Sunset  
4 process.

5  
6 Jim Riddle noted that all board members should make their travel arrangements by  
7 October 25.

8  
9 Mr. Riddle noted that he and his spouse, Joyce, will be hosting a hospitality suite for the  
10 board, NOP, and others during the November meeting to honor outgoing NOSB  
11 members. Other committee members volunteered to offset the cost of the suite.

12  
13 Mr. Riddle called upon the committees for their reports.

14  
15 Rose Koenig provided a report of the Materials Committee. Rose reported that she  
16 wanted to get feedback from the NOP on the synthetic-nonsynthetic document. Mr.  
17 Bradley agreed to provide.

18  
19 Mike Lacy provided a report of the Livestock Committee. Mr. Lacy reported that the  
20 committee will be forwarding its recommendations for sunset to the Materials Committee  
21 within the next week. Rose Koenig will review the report, and will send any comments  
22 back to the chair of the Livestock Committee. The Livestock Committee will then need to  
23 submit its report directly to NOP.

24  
25 Mr. Riddle asked whether the Livestock Committee has moved forward with working  
26 with NOP to address the issues that NOP expressed concerning the Board's pasture  
27 recommendations. Mr. Lacy said that the Committee has discussed the issue, but has not  
28 yet developed a formal revised recommendation. Mr. Riddle noted that, because the NOP  
29 has requested input on a series of specific questions, there needs to be a process for  
30 incorporating public input on those questions as a part of the Committee's  
31 recommendation. Rose Koenig noted that the NOP response had raised the issue of

1 economic impact in making any change in the regulation. Mr. Riddle noted that the  
2 economic impact can be measured from both the standpoint of the pasture-based dairies,  
3 and those that are not pasture-based. Discussion was held.

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5 Kevin O'Rell asked if the NOP will provide a clarification to the public on this issue  
6 (pasture) during their report at the NOSB meeting. Mr. Bradley said that it would be  
7 discussed.

8  
9 Kevin O'Rell provided a report of the Handling Committee. He noted that the committee  
10 has completed its work on the 205.605a and b. Work continues on 205.606.

11  
12 Dave Carter provided a report of the Policy Committee. He reported that he and Kevin  
13 O'Rell are working to schedule a joint meeting of the Policy Committee and the Handling  
14 Committee to address the issue of Commercial Availability.

15  
16 There was no report from the Crops Committee, since Nancy Ostiguy was absent. Rose  
17 reported that the sunset recommendation on 205.601 and 205.602 materials was nearly  
18 complete.

19  
20 Andrea Caroe said that there was nothing to report from the Accreditation Committee.

21  
22 Mr. Riddle said that he did not foresee a need for another Executive Committee meeting  
23 prior to the November meeting.

24  
25 There being no further business to discuss, and upon motion made, seconded and carried,  
26 the meeting adjourned at 4:30 p.m. EDT.

27  
28 Respectfully Submitted,

29  
30 Dave Carter & Bea James